

10:02AM

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER GERACE, JR.,

Defendant.

Case No. 1:19-cr-227  
1:23-cr-37  
(LJV)

November 6, 2024

TRANSCRIPT EXCERPT - GOVERNMENT OPENING BY JOSEPH TRIPI  
BEFORE THE HONORABLE LAWRENCE J. VILARDO  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

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PRESENT:

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Robert H. Jackson Courthouse  
2 Niagara Square  
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1 (Excerpt commenced at 1:27 p.m.)

2 (Jury is present.)

01:27PM 3 **MR. TRIPI:** Thank you, Your Honor.

01:27PM 4 May it please the Court, counsel, members of the  
01:27PM 5 jury.

01:27PM 6 Gabby wanted to be a nurse. She never wanted this.

01:27PM 7 She never wanted to be so heavily addicted to drugs,  
01:27PM 8 and to have such a fear of withdrawal and severe sickness that  
01:27PM 9 she would do anything to avoid it.

01:27PM 10 The euphoria from the cocaine that he gave her was  
01:27PM 11 wearing off. She felt disgusted and ashamed. She had never  
01:27PM 12 done that before. She never imagined in a million years that  
01:27PM 13 she would.

01:27PM 14 The guy zipped up his pants, and she got herself  
01:28PM 15 dressed. She couldn't look at him. They were strangers, they  
01:28PM 16 had nothing to say to each other. Instead, she looked in the  
01:28PM 17 mirror above the sink in the bathroom. Everything felt  
01:28PM 18 filthy. How did she get here?

01:28PM 19 She heard voices outside the door. They were still  
01:28PM 20 there in his private upstairs area, the one he kept under lock  
01:28PM 21 and key. The one he controlled.

01:28PM 22 That night, it was a few of his friends and a couple  
01:28PM 23 of other dancers. They were laughing, talking, as Gabby stood  
01:28PM 24 frozen trying to recognize the person staring back at her in  
01:28PM 25 the mirror. She wanted to take it back; to rewind time; to

1 say no when he invited her upstairs to, quote, unquote,  
2 "party" with him; to turn around when she got to the carpeted  
3 stairs that led up there worn by victims that have come before  
4 her; to refuse the cocaine as he passed it around, of course,  
5 by this time her addiction, which he fueled, was in control,  
6 not her.

7 See, at that moment, every fiber of her being needed  
8 that cocaine. He knew that. He exploited that. She put the  
9 cocaine up to her nose and she inhaled deeply. The relief was  
10 immediate. It made everything more bearable. The high washed  
11 over Gabby. At that moment, the man, her boss, the owner of  
12 the strip club, looked at her and said entertain my friend.  
13 Hook up with my buddy and I'll take care of you. It wasn't an  
14 option, it was a directive and an order from her boss who had  
15 just served her cocaine.

16 She was standing next to him in his private area of  
17 his club where he controlled the job she so desperately  
18 needed. He took \$200 out, and pressed the crisp bills against  
19 her palm. Seconds passed like minutes. Her boss looked at  
20 her. Gabby closed her hand around the bills, she felt numb.  
21 She turned around, she took the stranger into the bathroom,  
22 and did as her boss directed. Gabby did what her boss gave  
23 her the cocaine to do. Gabby did what her boss gave her the  
24 money to do. Gabby did as her boss directed.

25 She lost control of herself. He had control now.

01:31PM 1 She succumbed to the circumstances, the circumstances he  
01:31PM 2 created. She did what he said. She did what he wanted. For  
01:31PM 3 the first time in her life, Gabby had sex for drugs and money,  
01:31PM 4 and there was no turning back from that. Gabby knew it, she  
01:31PM 5 would never be the same. And she wasn't for a long time in  
01:31PM 6 her life.

01:31PM 7 Who was the man that gave Gabby the cocaine, and the  
01:31PM 8 \$200, and the directive to have sex with his friend?

01:31PM 9 It's this defendant, seated right there in the middle  
01:31PM 10 of that table, Peter Gerace.

01:31PM 11 That's why we're here today. Because this defendant  
01:31PM 12 coerced and sexually exploited young, vulnerable women for his  
01:31PM 13 own benefit, and at his strip club in Cheektowaga, New York,  
01:31PM 14 Pharaoh's Gentlemen's Club, and he did it with others for  
01:32PM 15 years.

01:32PM 16 Gabby's just one of the many victims who you'll hear  
01:32PM 17 about in this case, and her story is a microcosm for what this  
01:32PM 18 case is about.

01:32PM 19 It's a case about a man, this defendant, who hired  
01:32PM 20 young women to work in his strip club, and then he studied  
01:32PM 21 them, he tested them, he learned their vulnerabilities, he  
01:32PM 22 groomed them, and he used drugs and other coercive tactics to  
01:32PM 23 control them to make vulnerable young women engage in  
01:32PM 24 commercial sex with him and other men.

01:32PM 25 It's also a case about a man, this defendant, who

1 leveraged his relationship with a dirty and corrupt federal  
2 agent to get away with drug and sex trafficking that occurred  
3 in his strip club for years.

4 It's a case about a man, this defendant, who knew  
5 when the investigation on him got focused and commenced, he  
6 knew what he was guilty of, and so he, through his cronies and  
7 associates, tried to tamper with a witness to stifle an  
8 investigation so that this day would never come.

9 It's a case about a man, this defendant, who used his  
10 money, his power, and his control, to exploit everything and  
11 everyone around him for his benefit and the people he wanted  
12 to benefit at Pharaoh's.

13 Now, this defendant is charged with a number of  
14 crimes, and those crimes fall broadly into four categories,  
15 you heard the judge talk about them already.

16 First, the defendant used his strip club, Pharaoh's,  
17 as a headquarters for drug distribution, drug use, to fuel sex  
18 trafficking. That covers the drug and sex-trafficking charges  
19 set forth in Counts 3, 4, and 5 of the indictment. And I'll  
20 explain how the evidence in this case will show how those  
21 counts were interconnected and how they relate to one another.

22 Second group. As charged in Counts 1 and 2 of the  
23 indictment, to protect himself and his criminal conduct at  
24 Pharaoh's, this defendant is charged with conspiring with a  
25 corrupt Drug Enforcement Administration, known as the DEA,

01:34PM 1 special agent named Joseph Bongiovanni, a longtime childhood  
01:34PM 2 friend who was loyal to the defendant, and who agreed to  
01:34PM 3 defraud the United States and violate his oath and duty by  
01:34PM 4 protecting this defendant from investigation, arrest, and  
01:34PM 5 federal prosecution.

01:34PM 6 And you'll see how the evidence show that this  
01:34PM 7 defendant's status, his friendship to that corrupt agent, and  
01:35PM 8 cash payments to that corrupt agent, all combine together to  
01:35PM 9 ensure this defendant was protected. By virtue of that  
01:35PM 10 corrupt agent, who he was friends with, the defendant had in  
01:35PM 11 his pocket a proverbial get-out-of-jail-free card.

01:35PM 12 Third. When that corrupt agent, Bongiovanni himself,  
01:35PM 13 fell into federal investigation, and ultimately public  
01:35PM 14 indictment, you'll see how the defendant, through the help of  
01:35PM 15 some of his loyalists, associates, took matters into his own  
01:35PM 16 hands. And he tried to tamper with a witness in order to  
01:35PM 17 intimidate and silence the witness, to prevent the witness  
01:35PM 18 from speaking to authorities and testifying here about this  
01:35PM 19 defendant's criminal activity.

01:35PM 20 Now the drug charges. He's charged with conspiring  
01:35PM 21 to distribute drugs here in Western New York, and to  
01:36PM 22 maintaining his strip club, Pharaoh's, as a drug-involved  
01:36PM 23 premises roughly between 2009 and 2019. He's also charged not  
01:36PM 24 just with conspiring and agreeing to do that, but with  
01:36PM 25 actually maintaining Pharaoh's as a drug-involved premises.

1 And that goes back even further from 2006, about when it  
2 opened, to 2019.

3 But the agreement, the criminal partnership that he  
4 had with others, was for the defendant and others who worked  
5 closely with him at Pharaoh's, his preferred team of drug  
6 dealers, good friends and employees of Pharaoh's to distribute  
7 drugs, cocaine, heroin, marijuana, Adderall. And he used that  
8 club to do it. That was his headquarters.

9 And distribution didn't just mean selling drugs,  
10 though that happened, it also meant sharing and giving drugs,  
11 providing it, distributing it, sometimes without any profit,  
12 often without any profit, to drug addicted dancers who needed  
13 the drugs. He did that to control them, over and over and  
14 over again.

15 You see, drug possession, use, and distribution at  
16 Pharaoh's led by this defendant with the help of others ran  
17 rampant at Pharaoh's. It included everyone from customers, to  
18 employees, to the defendant himself. And so he's not just  
19 charged with agreeing that drug deals would be occurring at  
20 Pharaoh's or distribution would be occurring, but with also  
21 actually doing it.

22 Because maintaining Pharaoh's as a drug-involved  
23 premises, a drug-fueled premises to create that environment  
24 for sex trafficking was a critical part, an important purpose  
25 of Pharaoh's. It was the business model that profited him so.

01:38PM 1 And you'll learn that the drugs were the lubricant  
01:38PM 2 for the sex trafficking. So let's talk about that  
01:38PM 3 sex-trafficking conspiracy, that agreement, that this  
01:38PM 4 defendant is charged with having with others to traffic, to  
01:38PM 5 coerce these young women between 2009 and 2018.

01:38PM 6 This is Count 5 of the indictment. As charged and as  
01:38PM 7 the evidence will show, the defendant agreed others to  
01:38PM 8 recruit, maintain, and provide young and vulnerable women, and  
01:38PM 9 to make them available for sex acts to men at Pharaoh's, men  
01:38PM 10 that were important to him, men who spent a lot of money.

01:38PM 11 This agreement that he had with those men, those  
01:39PM 12 johns, if you will, and his handpicked staff that helped him  
01:39PM 13 do it, well, it was express and implied through a pattern of  
01:39PM 14 repeating conduct. The defendant and the others knew or at  
01:39PM 15 least recklessly disregarded that they were using force,  
01:39PM 16 fraud, coercion, to make these young and vulnerable women  
01:39PM 17 perform sex acts, you'll hear them called commercial sex acts,  
01:39PM 18 in exchange for drugs that they needed for fear of serious  
01:39PM 19 withdrawal, money that they needed to get drugs so they would  
01:39PM 20 not be in withdrawal, and anything else of value.

01:39PM 21 You'll learn that coercion, as this defendant  
01:39PM 22 implemented it with others, means a threat of serious harm.  
01:39PM 23 It could be physical or nonphysical, but you'll learn that sex  
01:39PM 24 traffickers like this defendant and those who helped him, use  
01:40PM 25 drugs and drug addiction as a primary means of coercion. And

1 that the victim's fear of withdrawal from powerful, powerful  
2 drugs was a serious threat of harm weaponized by this  
3 defendant and others. That's what the evidence will show this  
4 defendant did.

5 He preyed on their vulnerabilities, introduced them  
6 to drugs, or help worsen existing addictions to control them,  
7 to keep them compliant, to coerce them to engage in those  
8 commercial sex acts. Either way, the defendant either led  
9 these women or helped them in the throes of horrific  
10 addictions. Once they were in his hell, also known as  
11 Pharaoh's, they were dependent on the defendant and his team  
12 of dealers in that club to help keep them high, to get money,  
13 to get drugs, they were physically and psychologically  
14 controlled by the defendant and those working with him. They  
15 did anything he told them for drugs, for money for drugs.

16 You'll learn that the defendant told them to engage  
17 in sex acts with him personally, his friends, and high-paying  
18 VIP customers. In exchange, they kept their drugs --  
19 withdrawn, excuse me -- they kept their jobs, they were  
20 provided drugs and money, things of value.

21 The defendant benefited from the sex acts that he  
22 directed these women to engage in with the men he directed  
23 them to engage in often because he personally used them for  
24 sex as his sort of personal play things in his club, or  
25 through the profits he saw flowing through his club and

1 ultimately into his pocket off of their work, their bodies, or  
2 through the stature he gained among clientele that he  
3 serviced. Clientele that sometimes included prominent people,  
4 influential people, that he provided drugs and dancers to  
5 cater to their sexual desires. People he wanted to please to  
6 heighten his aura, to enhance his facade of legitimacy.

7 Now, the public corruption charges that I referenced,  
8 that's conspiring with that corrupt agent, Bongiovanni, to  
9 defraud the United States, to get him to not do his job. The  
10 opposite of the agent's job is to protect drug dealers.  
11 That's what the agent was doing. That was their agreement.

12 And it also included bribing that public official,  
13 that DEA agent, roughly between 2005 and 2019. This was key  
14 for the defendant. Protecting his criminal empire at  
15 Pharaoh's, that drug and drug-infused sex trafficking that he  
16 was engaging in, to keep it from being exposed and federally  
17 investigated.

18 He had a longtime friendship and close relationship  
19 with that DEA agent who, by outside appearances, was a normal,  
20 respect, veteran DEA agent. But unbeknownst to the DEA, that  
21 agency, Bongiovanni was beholden to criminal drug dealers who  
22 he was close with, who he was friends with. This defendant.

23 That corrupt relationship and that agreement with his  
24 friend and coconspirator DEA agent helped the defendant and  
25 his club avoid serious trouble from federal investigating

01:43PM 1 agencies for years.

01:43PM 2 It helped the defendant get away with nearly a decade  
01:43PM 3 of drug and sex trafficking headquartered at Pharaoh's.

01:43PM 4 This childhood friend, Bongiovanni, and the  
01:43PM 5 defendant, you'll learn they grew up -- they basically grew up  
01:43PM 6 together. The defendant needed protection from federal  
01:44PM 7 authorities, and Bongiovanni was willing to provide it and  
01:44PM 8 did. That was their agreement.

01:44PM 9 This defendant knew he was prominent. He knew his  
01:44PM 10 club was easy to find over near the airport in Cheektowaga.  
01:44PM 11 And he needed federal protection to conduct and continue drug  
01:44PM 12 trafficking and sex trafficking, which benefitted him  
01:44PM 13 tremendously and financially.

01:44PM 14 You'll learn that the defendant's need for protection  
01:44PM 15 was enhanced because of who he was and who he knew.

01:44PM 16 Over time, you'll see through a mutual understanding  
01:44PM 17 and repeated conduct between the defendant and Bongiovanni  
01:44PM 18 over a course of a decade, that the agreement was for  
01:44PM 19 Bongiovanni to protect Gerace, to shield him from federal  
01:44PM 20 investigations, for Bongiovanni to violate his oath and duty  
01:44PM 21 to the DEA, to give this defendant insider information,  
01:44PM 22 law-enforcement sensitive information to help Gerace, this  
01:45PM 23 defendant, get out of sticky situations as opportunities came  
01:45PM 24 up, and they did, because along the way, federal -- other  
01:45PM 25 federal agents expressed an interest in him, you'll learn how

01:45PM 1 Bongiovanni shoved those away and shut them down so he could  
01:45PM 2 continue, so this defendant could continue. And Bongiovanni  
01:45PM 3 did it because of their friendship, their loyalty to each  
01:45PM 4 other, and in exchange for money called a quid pro quo.

01:45PM 5 Those are the Counts, Counts 1 and 2.

01:45PM 6 And then we get to the witness tampering charges.

01:45PM 7 The witness tampering charges are Counts 6, 7, and 8.

01:45PM 8 And then Count 9 kind of groups in the witness  
01:45PM 9 tampering charges once you hear the facts, because he was  
01:45PM 10 distributing cocaine at the same time he was having women who  
01:45PM 11 were close to him threaten someone on Facebook.

01:45PM 12 So the witness tampering includes this defendant  
01:46PM 13 intimidating, threatening, trying to corruptly persuade a  
01:46PM 14 person, a witness, a young lady who you'll hear from named  
01:46PM 15 Phlycia Hunt, to try hinder her, delay her, or prevent her  
01:46PM 16 from talking to authorities or from testifying.

01:46PM 17 That's what happened here. I'll go into it in more  
01:46PM 18 detail later.

01:46PM 19 But when this defendant's protection was eroding  
01:46PM 20 because Bongiovanni had come under focus, well, that's when  
01:46PM 21 the defendant, as I mentioned, tried to take the matters into  
01:46PM 22 his own hands using others, other women, to tamper with  
01:46PM 23 Phlycia.

01:46PM 24 Now Phlycia, she had been someone who had been  
01:46PM 25 supplied drugs by this defendant, who had been provided more

1 and more drugs over time to engage in sex with defendant, and  
2 who knew a lot about the defendant's criminal activities at  
3 Pharaoh's and beyond its walls.

4 Evidence will show the defendant thought he could  
5 control dancers, both inside and outside of Pharaoh's, to  
6 silence them.

7 Now, under the sort of veneer of being the boss,  
8 being the person who would give these dancers cocaine and  
9 other drugs, or make sure they had access to them at his club,  
10 of being the person who would invite them to the upstairs part  
11 of Pharaoh's that he controlled to party and use drugs, who  
12 even bought them nice things at times, underneath it all the  
13 evidence will show he was a master manipulator and simply a  
14 sexual predator, grooming young women to be play things for  
15 him and his important friends. He was a sex trafficker who  
16 ran a strip club protected by a corrupt federal agent, to sum  
17 it up in one sentence. That's what the evidence will show.

18 For nearly a decade he ran that club, which Pharaoh's  
19 opened in around 2005 here in Western New York out near the  
20 airport. And although other names may have appeared on  
21 ownership documents, at one point his parents owned it on  
22 paper, he was the boss. He ran it. He was known as the  
23 owner. He was in control.

24 Now, that drug and sex trafficking at Pharaoh's, it  
25 was intertwined and was essential for his business model.

1 This was the business model. More drugs equals more sex.

2 More sex, by men who would pay money to have sex or engage in  
3 sex acts with dancers, equalled ultimately more money, more  
4 power, and more clout for the defendant.

5 As time went on, he progressed -- as he owns and runs  
6 Pharaoh's, he progressed from living in an apartment at his  
7 grandparents' house to owning a mansion in Clarence, New York.  
8 His power and money grew as the depravity and his control of  
9 Pharaoh's increased.

10 So the business model for this defendant, becoming  
11 rich through running Pharaoh's, was to hire young, vulnerable  
12 women, as I've mentioned, to keep them loose and vulnerable  
13 and compliant through drugs and control. By making them  
14 become coerced to do more than just dance.

15 It meant more men in the club buying food, buying  
16 drinks, buying dances that the club got a portion of the  
17 profits, all money that in one way or another ended up in his  
18 pocket.

19 From there, once these women were hired, the process  
20 of identifying, isolating, controlling them to be coerced and  
21 enticed to go even farther. To engage in commercial sex acts  
22 to satisfy not only his sexual desires but to satisfy the big  
23 spenders and prominent men who could benefit him financially  
24 through their spending, or benefit him in the outside world,  
25 his clout in the community, to give him the aura of legitimacy

1 and respect that the evidence will show his ego desired.

2 But it started with the women the defendant hired.

3 That's where his control began. Once they got under his roof,  
4 that's what his business model relied upon.

5 You'll learn that often a trafficker like this  
6 defendant uses multiple coercive tactics against his victims.  
7 Those tactics combine to create a force that overpowers the  
8 victim's will. That's exactly what this defendant did. It  
9 started by hiring those extremely vulnerable women at  
10 Pharaoh's.

11 And then within that group, he targeted the most  
12 vulnerable, because the most vulnerable were the easiest to  
13 control.

14 How were they vulnerable? Well, many of them were  
15 young. Many women began dancing at Pharaoh's when they were  
16 just 18, teenagers, they were still developing. Most, many,  
17 had little to no family support or contact. Many were on  
18 their own, providing and supporting for themselves in every  
19 way. Some had a little bit of education, a high school  
20 diploma, maybe some college, others didn't have any.

21 Some came to Pharaoh's having never tried drugs, like  
22 cocaine or heroin or opiates. Others had very little  
23 experience with drugs. But then because of this defendant and  
24 who you'll learn were his team of preferred friends and drug  
25 dealers who worked with him at Pharaoh's, his trusted friends

1 who also sold drugs there -- to use the legal term, his  
2 "coconspirators" -- these women descended further, rapidly,  
3 and farther and farther into the depths of horrific addiction.  
4 They became virtually totally controllable.

5 But all these women, all, shared one trait. They  
6 were financially desperate.

7 None of these women will tell you they started  
8 working there because they planned to trade sex for drugs and  
9 money.

10 None of them started working there because they  
11 aspired to engage in commercial sex acts in a coercive  
12 environment, working for a controlling boss. No, they were  
13 turned into that. They were groomed into that lifestyle.  
14 Coerced and controlled. It became as if they had invisible  
15 chains on them that they couldn't break.

16 They worked and stayed there because they felt they  
17 had to. Because this defendant and others made it that way  
18 for them.

19 In contrast, this defendant was everything the  
20 dancers were not. They were vulnerable, he was powerful.  
21 Many of them were younger, he was older and more experienced.  
22 They lacked means, he became wealthy and flashy.

23 He hosted extravagant parties at his huge home in  
24 Clarence. At times he would lay out mounds of cocaine on a  
25 platter like people might put out wings at a party.

01:53PM 1 He was connected to powerful influential people, and  
01:53PM 2 he made sure people knew it. He bragged about knowing judges.  
01:53PM 3 He bragged about knowing police officers in all the local  
01:53PM 4 departments, about the politicians he knew, and lawyers,  
01:53PM 5 athletes, businessmen.

01:53PM 6 He even bragged about his family. Reputedly, their  
01:53PM 7 reputed connection to Italian Organized Crime here in Buffalo,  
01:54PM 8 New York. You see, he's the grandson of the now-deceased  
01:54PM 9 longtime reputed leader of Italian Organized Crime in Buffalo,  
01:54PM 10 Joseph Todaro Sr.

01:54PM 11 He didn't just have to brag about it, though, some of  
01:54PM 12 these prominent people came into Pharaoh's. You see, knowing  
01:54PM 13 these people gave the defendant an air of legitimacy, clout  
01:54PM 14 and more command over the dancers, who paled -- paled in  
01:54PM 15 comparison.

01:54PM 16 And, of course, he owned the club. This meant he  
01:54PM 17 owned the financial fate of every single employee, but  
01:54PM 18 especially the vulnerable dancers that were the lifeblood of  
01:54PM 19 his business. And he exploited this power and balance between  
01:54PM 20 boss and desperate employee. He controlled their jobs, not  
01:54PM 21 only at Pharaoh's, but told some he could blackball them  
01:54PM 22 across the industry.

01:54PM 23 He controlled their financial fate, and their  
01:55PM 24 physical and psychological fate exploiting their addictions  
01:55PM 25 and their serious fear of withdrawal. And you'll hear how

01:55PM 1 sick some of them would become.

01:55PM 2 He had the power, he had the money, he had the  
01:55PM 3 control. He knew it, and the dancers knew it.

01:55PM 4 Now, I've mentioned the word "grooming" a few times.  
01:55PM 5 The evidence in this trial will show you how traffickers like  
01:55PM 6 this defendant groom their victims. His business model relied  
01:55PM 7 upon it. Once he had them under his roof, as I've mentioned,  
01:55PM 8 he became an expert in identifying and exploiting their  
01:55PM 9 individual vulnerability. Manipulating their reality and  
01:55PM 10 leveraging their fears. He did all these things, and he did  
01:55PM 11 them very well.

01:55PM 12 He started by gaining their trust.

01:55PM 13 You're gonna hear at times that the defendant was  
01:55PM 14 charming and charismatic. He would feign or pretend to have  
01:56PM 15 interest in his victims and befriend them. Sometimes he would  
01:56PM 16 invite them to fancy parties at his house or even take them to  
01:56PM 17 dinner.

01:56PM 18 In the process of gaining their trust, he was able to  
01:56PM 19 learn more about his victims and exactly how to exploit them.

01:56PM 20 His victims all came to Pharaoh's with some type of  
01:56PM 21 personal baggage. He studied them. He used that in the  
01:56PM 22 grooming process against them. He learned what they lacked so  
01:56PM 23 he can meet those needs, which could be tangible like drugs,  
01:56PM 24 money for drugs. Or intangible, like a false sense of  
01:56PM 25 affection, sense of belonging, a job.

01:56PM 1 So he zeroed on their weaknesses, what they needed,  
01:56PM 2 and gave it to them. But especially fueling those drugs  
01:56PM 3 addictions against them.

01:56PM 4 Sometimes he isolated victims from the outside world,  
01:57PM 5 the world outside of him.

01:57PM 6 You'll hear he told his victims that he was  
01:57PM 7 untouchable, that he was invincible, that he could make people  
01:57PM 8 disappear if he wanted to. His message was very clear. He  
01:57PM 9 was telling these women that he was above the law. And that's  
01:57PM 10 how he acted. That's what they believed. Maybe for a while,  
01:57PM 11 he was.

01:57PM 12 Further enhancing his reputation, control, and power,  
01:57PM 13 was that family reputation that backed him up. That fear,  
01:57PM 14 that just that reputation held. And he held himself out as  
01:57PM 15 connected, and people thought he was.

01:57PM 16 On top of that, he hired members of the Outlaws  
01:57PM 17 Motorcycle Club to work at Pharaoh's, adding more to the aura  
01:57PM 18 of his power, control, more-threatening presence in the club,  
01:58PM 19 the coercive atmosphere he relied upon as part of his business  
01:58PM 20 model.

01:58PM 21 All of these things came together and overlaid on top  
01:58PM 22 of the vulnerabilities and the fear of severe withdrawal and  
01:58PM 23 the drug addictions these women had. It all exacerbated and  
01:58PM 24 contributed to his ability to influence and control these  
01:58PM 25 dancers who were victimized at his club.

01:58PM 1 Now, the system was coercive. The system he set up  
01:58PM 2 inside Pharaoh's ensured his ability to maximize control and  
01:58PM 3 to coerce dancers. You see, everyone reported to the  
01:58PM 4 defendant. And he was ultimately in charge of everyone and  
01:58PM 5 everything.

01:58PM 6 See, he controlled the DJ. The DJ controlled what  
01:58PM 7 dancer would get a set, or be permitted to go on stage and  
01:59PM 8 dance to earn money. Another way to control their finances.

01:59PM 9 He hired and controlled security and VIP attendants.  
01:59PM 10 Now, those were the people responsible for the dancer's  
01:59PM 11 physical security. But the defendant and his handpicked staff  
01:59PM 12 and the dancers, they knew how it worked. Big spenders would  
01:59PM 13 go into the downstairs VIP, they would tip extra, and buy a  
01:59PM 14 lot of dances, earning the club and ultimately the defendant  
01:59PM 15 more money. And those big tippers, those big spenders, people  
01:59PM 16 he called whales because of how much money they spent in the  
01:59PM 17 club, they were permitted to get away with more. They were  
01:59PM 18 permitted to do things to the dancers, sex acts, commercial  
01:59PM 19 sex acts. They were allowed to kiss, touch, fondle dancers'  
01:59PM 20 private areas, and in some instances engage in oral and  
02:00PM 21 vaginal sex right there in the VIP room with nobody stopping  
02:00PM 22 them.

02:00PM 23 The structure was coercive. There was an upstairs, a  
02:00PM 24 private place, sometimes set up like an apartment. That's the  
02:00PM 25 upstairs party area that the defendant controlled. And he

1 would bring dancers up there, provide them drugs, and have sex  
2 with them. He kept it under lock and key. So once the  
3 dancers were up there, they were physically isolated, alone,  
4 vulnerable, and he knew it.

5 Up there, at times, he made sure his personal friends  
6 and prominent VIPs that he wanted to impress also got special  
7 treatment. They were permitted to go up there with his  
8 express permission to engage in those commercial sex acts with  
9 dancers. And the defendant basically served those dancers up,  
10 like the man who he directed Gabby to have sex with, to those  
11 men.

12 Whether it be serving that clientele, his VIP  
13 clientele, the drugs and partying, or sex with vulnerable  
14 dancers who felt and were coerced, he provided it all in his  
15 upstairs area.

16 But as I mentioned a moment ago, he also had a  
17 downstairs VIP area which had its own, quote, unquote,  
18 Champagne Room, private areas, where less-personal friends of  
19 the defendant, sometimes personal friends of his, but less  
20 personal friends, but nevertheless those big spenders, those  
21 big tipppers, those whales who would buy a lot of dances --  
22 when you hear that think more money for the defendant -- well,  
23 they could have their way with the dancers depending on their  
24 reputation, the amount of dances they bought, the amount of  
25 money they tipped.

1 In those rooms, those dancers, many of them drug  
2 addicted, knew the only way to get their next fix was to do  
3 those "extras."

4 And the men who were supposed to be protecting them,  
5 the men handpicked and by and loyal to the defendant, like his  
6 frequent VIP attendant Brian Rosenthal, well, they knew or  
7 recklessly disregarded the stark reality that these vulnerable  
8 women were being coerced into engaging in commercial sex acts.

9 They ignored it. They knew it, and they ignored it.  
10 Because the dancers were moneymakers for everyone in the  
11 building, especially the defendant.

12 All of this created an atmosphere in a course of  
13 behavior of coercion. And the defendant set it up that way,  
14 and he did it on purpose. It was the business model because  
15 it benefited him. All to benefit him, his friends, and his  
16 business interests.

17 I'll go through some examples of isolation and  
18 grooming that you'll hear at this trial.

19 You'll hear a roommate of one of the dancers say the  
20 victim was never home. She basically lived at Pharaoh's which  
21 coincided with her spiralling addiction.

22 You'll hear from the mother of a victim who will tell  
23 you that she called Pharaoh's looking for her daughter because  
24 she hadn't seen her in days.

25 You'll hear another dancer, Lindsay, who will explain

1 to you that shortly after she started at Pharaoh's at 18 to  
2 support herself, the defendant shared cocaine with her. First  
3 time she used it. After that, he took the opportunity to  
4 start to test her. He asked if she was open to meeting with  
5 men for sex. She quickly developed strong addictions to both  
6 cocaine and opiates, addictions the defendant helped to  
7 worsen. And you'll learn how he repeatedly gave her drugs or  
8 made the drugs available at his club to control and coerce her  
9 through her ever-worsening addiction, to exploit her  
10 insecurity and desire to what the boss wanted. So she engaged  
11 in coerced commercial sex acts. She gave him oral and vaginal  
12 sex repeatedly in his upstairs lair that he controlled. And  
13 she also did it with other men that this defendant allowed to  
14 go up there with Lindsay.

15 The drugs the defendant provided and made available  
16 in Pharaoh's had profound physical and psychological impacts  
17 on these already-vulnerable women, and he exploited those  
18 weaknesses. He helped create or worsen them in many  
19 instances, making Pharaoh's their main place to get drugs.

20 You'll learn that the victims, like most people in  
21 the depths of those types of serious addictions, would do  
22 anything for the drugs.

23 The defendant and others used that desperation to get  
24 what they wanted, which was sex. Sex from these women.

25 You're gonna hear the defendant -- you're gonna hear

1 that the victims, excuse me, never paid this defendant for  
2 drugs. This was intentional because, make no mistake, the  
3 evidence will show they paid for that debt with their bodies.

4 You'll learn that powerful drugs like cocaine,  
5 heroin, and opioids, they change how a person thinks and  
6 behaves. As that addiction progresses, it's not about seeking  
7 a high anymore. They'll explain to you that they needed the  
8 drugs to feel normal, to avoid pain, and fear, and sickness  
9 associated with the withdrawal. You'll learn the more drugs  
10 they use, the more they need just to function to stave off  
11 that severe illness. And for these women, they weren't  
12 seeking the drugs at that point for the high, or for fun, they  
13 needed them to survive.

14 Securing that next hit in their minds, in that  
15 physical state they were in, meant avoiding severe sickness  
16 and withdrawal.

17 Coming off a high, whether it's cocaine, heroin, or  
18 opiates, you'll hear from them that it causes extreme mental  
19 and physical distress. So much so that addicts like Gabby who  
20 I spoke about in the beginning of the opening, believe they  
21 had no choice other than to endure other types of trauma, like  
22 having sex with a stranger to avoid it.

23 That, combined with his image, his aura, his position  
24 as their boss, his reputation, the men he hired as security in  
25 there, and the person with total control of their financial

02:07PM 1 fate, gave the defendant virtually total control of the  
02:07PM 2 victims. And they'll tell you this in their own words, in  
02:07PM 3 their own experiences.

02:07PM 4 You'll hear one victim explain coming off cocaine,  
02:07PM 5 she would become suicidal. She cut herself. She had to make  
02:07PM 6 sure she wasn't alone when she was coming down because she  
02:07PM 7 feared what she would do to herself. You'll hear that mental  
02:07PM 8 anguish of coming down from cocaine tortured her, and she did  
02:07PM 9 anything to avoid it.

02:07PM 10 Others will tell you that physical symptoms of  
02:07PM 11 withdrawal make the worst flu or hangover seem easy. Their  
02:07PM 12 bodies ached, they vomited, they shook uncontrollably. That,  
02:07PM 13 that addiction, those feelings of intense withdrawal, the  
02:07PM 14 defendant had them at his mercy and he exploited it, because  
02:08PM 15 that was his business model.

02:08PM 16 The defendant's sex trafficking included coercing or  
02:08PM 17 recklessly disregarded the fact that victims were coerced to:

02:08PM 18 1. Engage in sex acts with him;  
02:08PM 19 2. Engage in sex acts with his friends and people  
02:08PM 20 who were important enough for him to allow them upstairs to  
02:08PM 21 use that upstairs lair of his to use drugs and engage in sex  
02:08PM 22 acts with the dancers;

02:08PM 23 3. To engage in commercial sex acts with those  
02:08PM 24 downstairs VIPs, the whales, the less-personal friends, but  
02:08PM 25 nevertheless the big spenders; and

02:08PM 1 4. He also -- you'll hear about how he funneled some  
02:08PM 2 of the young women to engage in sex acts outside Pharaoh's in  
02:08PM 3 some instances. He worked with stag companies run by close  
02:08PM 4 friends, associates -- to use the legal term,  
02:08PM 5 "coconspirators" -- Jessica Leyland and Darryl LaMont, where  
02:08PM 6 they had stag parties where similar types of coercive acts  
02:09PM 7 occurred and Pharaoh's dancers worked there.

02:09PM 8 So let's get into a little more detail about the sex  
02:09PM 9 acts with the defendant, the coerced commercial sex acts that  
02:09PM 10 he did in the upstairs.

02:09PM 11 While the methods of coercion started subtle, but  
02:09PM 12 they were effective. As I said before, he hand picked his  
02:09PM 13 victims, and he targeted the most vulnerable, those most  
02:09PM 14 susceptible to control, using the process of grooming that  
02:09PM 15 I've already talked about.

02:09PM 16 He'd invite them upstairs. Initially, they feel  
02:09PM 17 special. The boss inviting them upstairs to his area that he  
02:09PM 18 controlled, to party, quote unquote, with him. But it was no  
02:09PM 19 party, it was a ruse for him to engage in commercial sex.  
02:09PM 20 Just like Gabby and others. He decided who to let upstairs.  
02:09PM 21 He decided what happened up stairs, he decided how things  
02:10PM 22 happened upstairs.

02:10PM 23 And even in those rare occasions if the defendant  
02:10PM 24 wasn't there himself, the men going up there with the women  
02:10PM 25 had his permission because the defendant was the ultimate

02:10PM 1 arbiter of access.

02:10PM 2           Once a dancer arrived upstairs, he would give her  
02:10PM 3 drugs, usually cocaine, sometimes they were there because they  
02:10PM 4 wanted Lortabs, the amount varied. He did this with several  
02:10PM 5 dancers over and over. He'd usually also give them alcohol,  
02:10PM 6 like champagne or liquor, lowering their inhibitions. And  
02:10PM 7 then it would follow similar or the same pattern, he would  
02:10PM 8 give them drugs and alcohol, he might put on porn, and then he  
02:10PM 9 would get naked. And then he got what he wanted from the  
02:10PM 10 victims. Sometimes, again, they were paid in money or he  
02:10PM 11 supplied them with drugs before or after the sex act.

02:10PM 12           Now, this type of coercion and control, you're not  
02:11PM 13 gonna hear that the women said no to the defendant, or that  
02:11PM 14 they put up a physical fight, or that they left. This was  
02:11PM 15 coercive in the ways I've already described: They're alone,  
02:11PM 16 he's the boss who controlled whether they got the drugs, who  
02:11PM 17 controlled their fate at the place where they made the money,  
02:11PM 18 or even beyond the walls of Pharaoh's if he could blackball  
02:11PM 19 them across the industry. So you're gonna hear they performed  
02:11PM 20 those sex acts on him.

02:11PM 21           That doesn't mean -- the evidence will show that  
02:11PM 22 doesn't mean that he didn't coerce them into doing the sex  
02:11PM 23 act, it only means that the coercion worked, and it worked  
02:11PM 24 very well.

02:11PM 25           At times, you might also hear that the defendant

engaged in, quote unquote, "relationships" with some of his victims.

Through the proof, you'll learn that feigning a relationship with a victim is simply another control mechanism for traffickers of sex like this defendant. A way for a person like this defendant to make the victim think he loves and cares for her.

The defendant did this with each of Katie and Phlycia, who you'll hear from. He gave them drugs. He did so so they would have sex with him, and then he gave them more and more over time.

But on those occasions, if they didn't do what he wanted, or if they didn't have sex with him when he wanted, he got mad. He withheld the drugs they were addicted to. The drugs he knew that they needed. It was all about control. So he would place them in fear of that severe withdrawal from those strong opiates. And then they would have sex with him. That's coercion.

The facts will show that in reality, this defendant loved one thing, control. These weren't real relationships, even if for a moment in time or a portion of the time the women thought they were. They were sex in a coerced environment, in a coercive relationship, in situations the defendant controlled.

He groomed and coerced these women flawlessly, so

1 well that you'll learn that his own brother, Anthony, didn't  
2 want his girlfriend partying with Peter, quote unquote,  
3 "partying" with Peter.

4 You'll hear from a young woman named Jessica.  
5 Jessica worked at Pharaoh's for a short time as a dancer. And  
6 then when she started dating the defendant's brother, Anthony,  
7 she became a bartender who worked in Pharaoh's. And she'll  
8 describe a situation, one day this defendant was upstairs  
9 with -- with other dancers, and they were all doing cocaine.  
10 And Jessica was made to bring some drinks up to them. She was  
11 offered cocaine upstairs. Jessica took a hit of the cocaine.

12 But then Anthony called her, the defendant's brother.  
13 And when Anthony heard where Jessica was, what she was doing,  
14 and most importantly who she was with, he was furious and told  
15 her to leave immediately.

16 The defendant's own brother was furious that his  
17 girlfriend was upstairs, in that upstairs lair with this  
18 defendant. Because he knew. Anthony knew what happened  
19 upstairs with Peter and cocaine and Pharaoh's dancers. And  
20 they all knew it.

21 The defendant also coerced dancers into engaging in  
22 those sex acts with his prominent friends. I told you about  
23 some of these people, prominent and influential people in the  
24 community.

25 You may hear some of the names during this trial.

02:14PM 1 They included a former New York State Supreme Court judge,  
02:14PM 2 lawyers, political figures, businessmen, athletes, former  
02:14PM 3 Buffalo Sabres. You'll hear the defendant -- an actor, an  
02:15PM 4 actor from movies who would come from out of town. You're  
02:15PM 5 gonna hear the defendant would bring some of these friends  
02:15PM 6 upstairs to party and use drugs, and then serve up dancers to  
02:15PM 7 engage in sex.

02:15PM 8 You'll hear the defendant instruct the dancers how to  
02:15PM 9 behave around these people. That he brought his, quote  
02:15PM 10 unquote, "favorite" dancers upstairs when he was with these  
02:15PM 11 type of friends.

02:15PM 12 In terms of arranging Pharaoh's dancers for other --  
02:15PM 13 for sex or relationships outside of Pharaoh's, arranged sex  
02:15PM 14 acts, you'll hear that one occasion, Phlycia will explain it  
02:15PM 15 to you, where a person named Russell Salvatore was on the  
02:15PM 16 phone with Peter and he wanted a dancer for the weekend. For  
02:15PM 17 800 bucks, this defendant arranged it. 500 for the defendant,  
02:15PM 18 300 for the dancer.

02:15PM 19 The defendant also coerced dancers into engaging in  
02:16PM 20 sex acts with those downstairs VIP customers, as I said the  
02:16PM 21 downstairs VIP, the Champagne Room.

02:16PM 22 To understand how the defendant facilitated sex acts,  
02:16PM 23 because he's not there, right? He's in the VIP Room with the  
02:16PM 24 dancer and the man who's going to be paying the money, so how  
02:16PM 25 does the evidence show he facilitated this sex trafficking?

02:16PM 1 To do that, we're going to explain the ways Pharaoh's dancers  
02:16PM 2 made money, and how that money ended up in his pocket.

02:16PM 3 So they did so, Pharaoh's dancers made money in two  
02:16PM 4 principal ways. They danced on the main stage and did private  
02:16PM 5 dances in the VIP Room downstairs, which was a separate room  
02:16PM 6 from the main area of the club. The VIP Room was basically a  
02:16PM 7 small room that had a bunch of couches, nothing glamorous.  
02:16PM 8 Sometimes the couches were, like, touching each other, other  
02:16PM 9 times the couches were, like, tucked into dark corners for a  
02:16PM 10 bit more privacy. Again, though, isolating the dancers in  
02:16PM 11 those corner couches.

02:17PM 12 There was also a Champagne Room area where even more  
02:17PM 13 private VIP portion. And the only security that the dancers  
02:17PM 14 had were his loyal handpicked staffers working security.

02:17PM 15 Now, the customers had to pay extra. This wasn't  
02:17PM 16 free. A patron couldn't just walk into the VIP Room. He  
02:17PM 17 couldn't just walk into the Champagne Room. He had to check  
02:17PM 18 in with the VIP attendant, that security staffer, oftentimes  
02:17PM 19 Brian Rosenthal.

02:17PM 20 As I mentioned before, these attendants, they had two  
02:17PM 21 main jobs:

02:17PM 22 First was to watch the dances on camera, and the  
02:17PM 23 stated purpose of that was to make sure that no sex acts were  
02:17PM 24 happening so they could keep the dancer safe.

02:17PM 25 The second job of this VIP attendant, the security

1 staffer, was to give out chips, like poker chips, to dancers.  
2 See, the dancers didn't get paid on the spot, they got paid  
3 later. They would turn in those chips, and they would get  
4 money from the amount of dances that they did.

5 But you'll learn from the dancers that the VIP Room  
6 was often simply a private area for extras to occur. "Extras"  
7 is code or slang or jargon for sex acts. The big spenders and  
8 big tippers would take advantage of the desperate dancers  
9 addicted to drugs who were worried about making enough money  
10 to avoid sickness of withdrawal. And under the supposedly  
11 watchful eye of Pharaoh's staff, the defendant and those  
12 staffers knew or disregarded the reality that the dancers and  
13 women were being coerced to engage in those sex acts, because  
14 the more dances that the dancers engaged in, the more money  
15 those men had to pay.

16 And then on top of that, they would tip the VIP  
17 attendant. The man, often the man, would tip the VIP  
18 attendant. They would make more dances, more money, based off  
19 of the chips, and that money flowed back to the defendant.  
20 Pharaoh's took a cut of each dance.

21 So, yeah, Pharaoh's had stated rules. Stated rules  
22 that there were no drugs. Stated rules that no sex acts could  
23 occur. But in reality, those rules were as worthless as the  
24 paper they were written on.

25 And for the same reason the systems that were

02:19PM 1 supposedly in place to enforce those rules were meaningless,  
02:19PM 2 because breaking the rules and defiling the system actually  
02:19PM 3 made the defendant more money. They were actually, in  
02:19PM 4 reality, part of the business model.

02:19PM 5 So, to state it more clearly, the club took a cut  
02:19PM 6 from every single dancer's dance in the VIP Room.

02:19PM 7 In addition, the club made dancers share those tips  
02:19PM 8 with other employees, such as those VIP attendants.

02:19PM 9 So based on the system, the more money the dancer  
02:19PM 10 made, the more money the club made. The more money the club  
02:19PM 11 made, the more money the defendant made.

02:20PM 12 The evidence will show that as Pharaoh's continued to  
02:20PM 13 exist, as I explained, as he continued to control it, he  
02:20PM 14 became much, much, much more wealthy over time.

02:20PM 15 Now, this VIP Room, it was meant for private lap  
02:20PM 16 dances. It was meant for, actually, erotic dances. They get  
02:20PM 17 called lap dances, but it's supposed to be a dance, a dancer  
02:20PM 18 in proximity to a client. But the dances in the VIP at  
02:20PM 19 Pharaoh's weren't just private dances, they weren't even just  
02:20PM 20 lap dances, they were simulated sex, commercial sex acts.

02:20PM 21 You'll learn that dancers grinded sometimes with a  
02:20PM 22 man's hand guiding them and holding them in place against  
02:20PM 23 erect penises, so much so that the men ejaculated in their  
02:21PM 24 pants or even on the dancers.

02:21PM 25 It didn't just stop at simulation. I mentioned

before, customers received sex acts right in the VIP Room.

They fingered women. They touched their vaginas. They

fondled their breasts. They sucked their nipples.

The VIP attendant, the one supposed to watch to make sure none of that was happening, turned a blind eye and the defendant knew it.

The defendant knew about the addictions. The defendant knew about the vulnerabilities of the victims, the dancers, the dancers he controlled. And so did the other employees: The DJs, the attendants, other dancers. They knew or they recklessly disregarded that those dancers engaging in those extras in the commercial -- in the VIP Room were engaging in commercial sex acts. Those women were suffering under heavy addictions. But the defendant and everyone disregarded it because they were earning a lot of money off the bodies of those women, and that's what was more important to them, to the defendant and his associates.

And it was obvious that the dancers doing that were heavily addicted. Because of their addictions, often they were rail thin, they appeared strung out. Some of them developed track marks on their arms from intravenous drug use that got worse over time. Dancers will explain how they would nod out or fall asleep in the dressing room or in other areas, nodding out from the effects of opioids or heroin. Sometimes they would have drug residue apparent in their nose, cocaine

1 visible under the black lights of the club.

2 It wasn't a secret. Drug use among the dancers, the  
3 staff, was rampant. But because breaking the rules and taking  
4 advantage of dancers made them more money, everyone  
5 disregarded it. The defendant knew it, he relied on it, it  
6 was his businesses model.

7 If that's not enough, you'll hear specifically from  
8 that dancer Lindsay, who I mentioned earlier, you'll hear a  
9 situation where the defendant directed her towards a  
10 particular whale, a particularly high spender, frequent  
11 customer of Pharaoh's, an attorney named Wayne, Wayne  
12 Van Vleet.

13 The defendant pointed out Wayne and told Lindsay to  
14 take Wayne into the VIP. He told Lindsay, when he pointed  
15 Wayne out to her, he'll probably stick his fingers in your  
16 vagina, but he'll pay a lot of money to do it. And Brian,  
17 Brian, the VIP attendant, he'll look the other way. And that  
18 was how it worked.

19 It wasn't just Lindsay, in one conversation, just one  
20 example, of how they all knew that it worked. That was how  
21 the defendant set things up, because it served his financial  
22 interests.

23 And Wayne was there a lot and he spent a lot, and he  
24 got away with a lot.

25 But Wayne was far from the only customer who received

1 sex acts in the downstairs VIP or in the upstairs that Peter  
2 personally controlled. You'll hear all about that.

3 Finally, talk about sex acts outside of Pharaoh's.  
4 The defendant also facilitated sex acts outside of Pharaoh's  
5 either through hooking one of them up or pointing them in the  
6 direction of a man who wanted one of them for a weekend, like  
7 I just mentioned, or -- called it arranging a date, or by  
8 working with two of his close associates who were frequently  
9 at Pharaoh's, Jessica Leyland, who you'll learn was a former  
10 Pharaoh's dancer, a preferred drug dealer who sold cocaine  
11 inside Pharaoh's, a person extremely loyal to the defendant  
12 who ran a stag company called Extraordinary Entertainment, and  
13 women, dancers from Pharaoh's, would get funneled to Jessica.

14 Similarly, Darryl LaMont, another regular at  
15 Pharaoh's, close associate of the defendant, friend and  
16 business associate, we'll call these both coconspirators, ran  
17 another stag company called No Limit Entertainment.

18 Those stag companies became an extension of Pharaoh's  
19 beyond its walls with the dancers that they employed, and the  
20 types of things that those dancers endured and did outside of  
21 Pharaoh's walls.

22 So I started this opening by introducing you to Gabby  
23 and telling you about the moment that changed Gabby's life.  
24 After Gabby had sex with the defendant's friend in exchange  
25 for cocaine and money, she started to engage in commercial sex

02:26PM 1 acts with that same man outside of Pharaoh's, with the same  
02:26PM 2 man the defendant told her to take care of in the upstairs at  
02:26PM 3 Pharaoh's.

02:26PM 4 She'll tell you that the defendant normalized  
02:26PM 5 commercial sex for her. That doing it once made it easier to  
02:26PM 6 do again and again when combined with that fear of withdrawal  
02:26PM 7 and that numbing addiction to cocaine.

02:26PM 8 She didn't do it because she wanted to. She was  
02:27PM 9 stuck in a cycle of dependency and desperation that the  
02:27PM 10 defendant fueled.

02:27PM 11 To survive physically -- excuse me.

02:27PM 12 To survive physically and mentally, she needed the  
02:27PM 13 drugs desperately. She needed the money to escape her new  
02:27PM 14 horrific reality. The defendant showed her how it do that  
02:27PM 15 that night.

02:27PM 16 She was just one of several that the defendant put  
02:27PM 17 into this cycle. Like Gabby, you're gonna hear from some of  
02:27PM 18 the other women who say they engaged in commercial sex inside  
02:27PM 19 Pharaoh's and sometimes outside. And maybe he didn't arrange  
02:27PM 20 all of those encounters, that may be true, but those instances  
02:27PM 21 do not and will not change what the defendant did to them or  
02:27PM 22 what the men working with the defendant did to them at  
02:27PM 23 Pharaoh's and sometimes beyond its walls. It doesn't change  
02:28PM 24 the fact and the proof that you'll learn about that the  
02:28PM 25 defendant targeted them and picked the most vulnerable to be

02:28PM 1 his victims. It doesn't change his grooming process or  
02:28PM 2 pattern that I've described the evidence will show. It  
02:28PM 3 doesn't change that he fed them drugs and controlled their  
02:28PM 4 addictions to have them at his mercy through their fear of  
02:28PM 5 that withdrawal. It doesn't change that he did it to coerce  
02:28PM 6 them to engage in sex acts with him personally, giving him  
02:28PM 7 oral and vaginal sex, or his friends, or his VIP customers.  
02:28PM 8 It doesn't change that he normalized it for them and kept them  
02:28PM 9 numb.

02:28PM 10 That some dancers may have engaged in prostitution  
02:28PM 11 outside of Pharaoh's, coerced sex acts outside of Pharaoh's,  
02:28PM 12 changes nothing. It just shows how effective the defendant  
02:28PM 13 was at grooming them and coercing them once he had them under  
02:28PM 14 his roof.

02:28PM 15 So let's move on to the drug trafficking at  
02:28PM 16 Pharaoh's. It was intertwined with, interrelated connected to  
02:29PM 17 the sex trafficking. The defendant needed to be able to  
02:29PM 18 supply these women with drugs to coerce them into those  
02:29PM 19 commercial sex acts, and the whole environment that he set up  
02:29PM 20 with his team of preferred and trusted drug dealers. People  
02:29PM 21 like Jessica Leyland. People like his friend, Marcus Black.  
02:29PM 22 People like his brother, Anthony Gerace. And several others  
02:29PM 23 who you'll hear from, they were his team of trusted drug  
02:29PM 24 suppliers: cocaine, opiates, Adderall, marijuana, heroin. He  
02:29PM 25 could get it for the dancer that needed it, point them in the

02:29PM 1 right direction, also supplied it to customers.

02:29PM 2 Now the defendant wasn't stupid. It was mentioned  
02:29PM 3 earlier, there was a rule at the club that said no drugs were  
02:29PM 4 allowed. At times, even some of the managers enforced a rule  
02:29PM 5 on a random dancer here and there. But if the dancer -- if  
02:29PM 6 the dancer was someone under the defendant's control, or  
02:29PM 7 someone he favored because they would do things he wanted, or  
02:30PM 8 someone he knew would engage in commercial sex acts with him  
02:30PM 9 or his friends, they were right back in the club working.

02:30PM 10 The notion that drugs were not allowed was a sham, a  
02:30PM 11 PR scheme to try to not get in trouble if the Liquor Authority  
02:30PM 12 walked in the club, they would see his sign. The reality was  
02:30PM 13 the opposite. And you'll repeatedly hear that in this trial.

02:30PM 14 You'll learn that everyone from his preferred  
02:30PM 15 customers, to dancers, to bartenders, to DJs, that the  
02:30PM 16 defendant took part in the drugs -- use, possession,  
02:30PM 17 distribution -- flowing through Pharaoh's.

02:30PM 18 The defendant possessed, used, bought, distributed  
02:30PM 19 drugs routinely at Pharaoh's.

02:30PM 20 Again, more drugs led to more dances purchased, more  
02:30PM 21 drinks sold, more sex, and it all benefited him in one way or  
02:30PM 22 the other.

02:30PM 23 The defendant had those close confidantes selling the  
02:31PM 24 drugs for him and with him, or supplying him, like Jessica  
02:31PM 25 Leyland, Marcus Black, his brother Anthony who I've mentioned

02:31PM 1 already. Again, his coconspirators, his suppliers in the  
02:31PM 2 club.

02:31PM 3 The drug dealers you'll learn, they were treated like  
02:31PM 4 VIPs because he needed them. He needed the steady supply for  
02:31PM 5 both his business and his criminal scheme. Witness after  
02:31PM 6 witness in the case will tell you drugs were everywhere.

02:31PM 7 As an example, you'll hear from a customer who spent  
02:31PM 8 a lot of time at Pharaoh's, a businessman who owned a company.  
02:31PM 9 His name is Jeff Anzalone. He'll tell you he went to  
02:31PM 10 Pharaoh's 100 times or so, used cocaine every time. It was  
02:31PM 11 supplied to him in Pharaoh's, he used it in Pharaoh's.  
02:31PM 12 Sometimes he'd bring his own, sometimes he'd get it from  
02:31PM 13 dancers, sometimes he'd get it from the cook, sometimes a  
02:31PM 14 security guard, or from the defendant himself. He's used  
02:32PM 15 cocaine in almost every room in Pharaoh's, with the defendant  
02:32PM 16 upstairs, with his brother Anthony in the garage, in the  
02:32PM 17 kitchen, everywhere. And he didn't even work there.

02:32PM 18 The victims will tell you that drug use was rampant  
02:32PM 19 and obvious. Some of the dancers dealt and distributed to the  
02:32PM 20 other dancers, or they would share amongst each other. They  
02:32PM 21 would use in the dancer's locker room, they have a locker room  
02:32PM 22 where they change to get dressed before they come on stage,  
02:32PM 23 where cocaine residue covered vanity surfaces.

02:32PM 24 Dancers and customers alike, they used the bathroom,  
02:32PM 25 sometimes fitting two or more people in a stall. Of course,

as I mentioned, the defendant held court in his upstairs private kingdom where cocaine parties flowed freely.

Again, this was to help keep the women high, help keep them in control, help coerce them. That's how he was able to coerce them into commercial sex.

Now, earlier, I mentioned Lindsay who started dancing at Pharaoh's when she was 18. Referenced that she had never used drugs before working at Pharaoh's. Within two months, she was addicted to cocaine or heroin, her addiction spiraled. She was used by the defendant, coerced to perform sex acts on him, for his friends in exchange for money and drugs.

At one point the defendant asked her if she would meet men outside of Pharaoh's, and I told you already, Lindsay would be directed towards whales like Wayne.

Katie will testify she never used cocaine or Lortabs before meeting the defendant. He introduced her to both. She was addicted soon after. So much so that -- she used so much cocaine that she burned a hole in her septum. She'll testify that drug dealing and use was obvious and regular, that she routinely got drugs from the defendant and others at Pharaoh's. But she never paid for the drugs. Instead, the defendant used her dependence on the drugs to get her to have sex with him.

She'll explain sometimes when he got mad he'd withhold the drugs, I think I referenced this earlier, knowing

1 the torment her withdrawal would cause, and then get what he  
2 wanted.

3 She'll testify that she witnessed prominent people  
4 like a politician, former Buffalo Sabre, and more, engage in  
5 commercial sex acts with dancers in that upstairs that Peter  
6 controlled.

7 She'll also tell you she met the defendant's friend,  
8 his corrupt DEA agent protector, Joseph Bongiovanni, at  
9 Pharaoh's, and saw him there with the defendant several times.

10 She'll tell you the defendant talked to her about  
11 arranging other dancers to have sex with his friends, dancers  
12 also heavily addicted to drugs like Gabby.

13 You'll meet Phlycia, who I spoke about already. She,  
14 like Lindsay, started dancing at Pharaoh's at 18. Shortly  
15 after she started working there, the defendant, that time  
16 living at the apartment at his grandparents' house, invited  
17 her to his apartment. There, he gave Phlycia her first hit of  
18 cocaine and a bottle of liquor, then he had sex with her.

19 Just like Katie, over time he fed Phlycia cocaine and  
20 Lortabs for the next decade. Those drugs tethered to sex with  
21 him as she fell more and more into serious addiction. She'll  
22 also tell you drugs were everywhere at Pharaoh's, and nobody  
23 got in trouble for it.

24 Phlycia will tell you the defendant told her things  
25 like he owned her, that she was his property. He told her

1 that he had friends in high places, and if he wanted to he  
2 could make someone disappear.

3 She'll explain to you that she did cocaine with the  
4 defendant in the summer of 2018. Right before investigation  
5 started to focus on that Special Agent Joseph Bongiovanni,  
6 you're gonna learn she was at a cottage in 2018 with the  
7 defendant, Joseph Bongiovanni, and others, and she did cocaine  
8 with them both.

9 You'll meet Gabby, who I told you about in the  
10 beginning. She'll explain to you how she was preyed upon  
11 through her addiction, and how that night changed her.

12 These are just a few of the women who you'll meet in  
13 this case, there are many others.

14 You'll hear from other witnesses who knew the  
15 victims, like family members, roommates. They'll tell you  
16 what they saw from the outside, which was a complete downward  
17 spiral of the women working at Pharaoh's, a drug-infested  
18 premises.

19 Each witness will tell you, each dancer will tell you  
20 how they were vulnerable in their own ways, and how they were  
21 preyed upon. Sometimes, they didn't even realize at the time.

22 Their vulnerability though, their addictions, their  
23 frailty, were part of his criminal scheme, his business model.

24 I've told you about Jeff Anzalone. You'll also hear  
25 from others like him. You'll hear from other attorney, Matt

Albert, who bought cocaine from the defendant both inside and outside of Pharaoh's, and later engaged in sex acts with a dancer he met at Pharaoh's.

You'll hear from Kelly, who got cocaine from Marcus Black, one of those preferred drug dealers and friends of the defendant's, at Pharaoh's. Someone who could supply cocaine when Peter needed it, or when the defendant wanted other people to have it.

You'll hear from Kevin Myszka, a businessman who, after running out of cocaine at Pharaoh's, asked the defendant for more, and he'll explain to you that within moments a dancer brought Myszka cocaine.

Myszka will also explain to you that he's been on a trip to Toronto with the defendant's brother, Anthony, and the corrupt special agent, Joseph Bongiovanni, and that cocaine use was open and obvious to anyone who was paying attention, to give you an idea of Myszka's history of knowing or experiencing a weekend with Bongiovanni, the defendant's protector.

And you'll hear from Katrina Nigro. She's the defendant's ex-wife. As the defendant's wife, though, she worked at Pharaoh's, and she had a unique vantage point.

Ms. Nigro saw the worst parts of the defendant and the inner workings of the club. She was also, for a time while married to the defendant, dating him and then married,

02:38PM 1 part of the fabric of Pharaoh's. She was uniquely and  
02:38PM 2 intimately placed. She'll tell you what she saw, what she  
02:38PM 3 heard, what she experienced, what she knew happened in the  
02:38PM 4 defendant's upstairs, when, at times, she was even directed to  
02:38PM 5 allow certain of the defendant's friends, like that New York  
02:38PM 6 State Supreme Court judge, to go upstairs with their favorite  
02:38PM 7 dancers so that they could engage in sex acts with those  
02:38PM 8 Pharaoh's dancers.

02:38PM 9 You'll learn that New York State Supreme Court judge,  
02:39PM 10 this defendant's really good friend, liked a particular dancer  
02:39PM 11 named Shelby. And you'll see text messages where the  
02:39PM 12 defendant and Judge Michalski exchanged a text about Shelby.

02:39PM 13 Later, when Katrina and the defendant got divorced,  
02:39PM 14 you'll see how they mocked Katrina because she got arrested  
02:39PM 15 and her mug shots didn't look so good. But she'll explain far  
02:39PM 16 more than that.

02:39PM 17 She knows that the club was drowning in drugs, and  
02:39PM 18 that overdoses, multiple overdoses, occurred.

02:39PM 19 She knows about the defendant's cocaine distribution  
02:39PM 20 and who was involved.

02:39PM 21 She knows it because she was in the thick of it with  
02:39PM 22 him for a time. At the time, it was blurry for her. She was  
02:39PM 23 following directions and instructions from someone this  
02:39PM 24 defendant, she thought she loved, of someone who she thought  
02:39PM 25 was powerful. She did so under the throes and the fog of her

own addiction to alcohol.

But there will come a time, excuse me -- she came here -- she'll come here and tell you that there came a time and that she sees what was happening more clearly now.

What she tells you will be supported by other dancers, who experienced the things that she describes for you. And there will be other evidence that supports what she will explain, such as one of the prominent people who would go upstairs with Shelby was Judge Michalski.

Once Katrina became estranged from the defendant, you'll see those text messages between the judge? Former Judge Michalski and the defendant mocking Katrina.

She'll also tell you and you'll see text messages between the defendant and Joseph Bongiovanni, where Katrina was at Bongiovanni's 50th birthday party. You'll know she was uniquely placed to see what was happening. She'll talk about an envelope of cash at that birthday party, a birthday card that Gerace provided Bongiovanni. Well, that envelope, that birthday card of cash, was a bribe masked as a birthday card. So you'll see that evidence. You'll see the text messages between Bongiovanni and Gerace.

No doubt, Ms. Nigro and the defendant had a contentious, ugly divorce. There's no doubt about that. But as you listen to her testimony and consider it along with all of the other witnesses and evidence, you'll learn it's

02:41PM 1 corroborated and supported by other witnesses, evidence, facts  
02:41PM 2 and circumstances, like drug overdoses.

02:41PM 3 You'll learn about drug overdoses that occurred at  
02:41PM 4 Pharaoh's because drug use was so widespread, and the  
02:41PM 5 addictions of these dancers were so serious, overdoses  
02:41PM 6 happened and the defendant knew about them. He knew about at  
02:41PM 7 least two overdoses personally.

02:41PM 8 Ms. Nigro will explain the overdoses that occurred in  
02:42PM 9 Pharaoh's.

02:42PM 10 So will a former dancer named Evelyn Hammer who  
02:42PM 11 worked there for only three or four months and saw two  
02:42PM 12 overdoses during her short time there.

02:42PM 13 You'll hear from a bouncer who worked there for a  
02:42PM 14 time, Doug. Doug Augustyniak. And Doug will explain to you a  
02:42PM 15 situation he encountered one night. He'll explain to you that  
02:42PM 16 Peter and Peter's friends had been upstairs with dancers, and  
02:42PM 17 Peter left, leaving his friend upstairs. After a time, Doug  
02:42PM 18 was alerted to a dancer in distress. This dancer was  
02:42PM 19 overdosing, she was in rough shape, she needed help.

02:42PM 20 But Doug knew the rule. The rule that this defendant  
02:42PM 21 put in place was not to call the police without checking with  
02:42PM 22 him. So that's what Doug did.

02:42PM 23 He called the defendant, and the defendant said to  
02:42PM 24 Doug, I'll get right back to you.

02:42PM 25 A short time later, the defendant did get back to

02:43PM 1 Doug, and the direction that the defendant gave Doug was this:  
02:43PM 2 Get her out of there. Get her out of there. Bring her to a  
02:43PM 3 motel or a hotel or something.

02:43PM 4 And you'll learn there's a bunch of hotels or motels  
02:43PM 5 not far from Pharaoh's, because it's by the airport.  
02:43PM 6 Essentially he was telling him to go dump her in a hotel lobby  
02:43PM 7 or something.

02:43PM 8 Well, Doug will explain to you he never saw that  
02:43PM 9 dancer again. He never did that. But you'll learn that the  
02:43PM 10 directive the defendant gave Doug matched almost verbatim  
02:43PM 11 advice he got, advice this defendant got from his corrupt DEA  
02:43PM 12 friend, Joseph Bongiovanni.

02:43PM 13 See, you'll learn that there was an occasion where  
02:43PM 14 the defendant called Bongiovanni on the phone, told him that a  
02:43PM 15 dancer was overdosing, and Bongiovanni's advice was to get her  
02:43PM 16 out of there. Opposite of what a sworn DEA agent should be  
02:44PM 17 doing following their oath and duties.

02:44PM 18 The defendant didn't want negative attention  
02:44PM 19 associated with overdoses on him, because he was trying to  
02:44PM 20 protect that lucrative premises, and overdosing dancers and  
02:44PM 21 having authorities know about it was bad for business.

02:44PM 22 This leads into that corruption. With all of what I  
02:44PM 23 just described transpiring at Pharaoh's, and with the  
02:44PM 24 defendant's lucrative lifestyle flowing from it at stake, he  
02:44PM 25 needed that protection and was highly motivated to get it.

1 Highly motivated to protect what he built through Pharaoh's.

2 This is where Bongiovanni enters the picture.

3 You'll learn that Agent Bongiovanni, who is from  
4 Buffalo originally, for a time his career took him to Florida.  
5 By the early 2000s as a DEA agent, he was back in Buffalo. At  
6 that time, Bongiovanni himself was going through a divorce and  
7 he was in need of money. He was also back in town with  
8 childhood friends like the defendant, that he used to go out  
9 with, that he partied with when he was younger, people who  
10 he'd even been around drugs with before he became a DEA agent.

11 All of this was against the backdrop of his  
12 relationship with the defendant. Against the backdrop of the  
13 defendant's grandfather being that reputed leader of Italian  
14 Organized Crime crime in Buffalo. You see, Bongiovanni's own  
15 father was friends with other guys who were in that same  
16 reputed organization, Italian Organized Crime organization  
17 with this defendant's grandfather.

18 You'll hear about Bongiovanni's father's friends that  
19 he would brag about or talk about. You'll learn that  
20 Bongiovanni's father was a card player who used to like to go  
21 play cards in the North Buffalo neighborhood where he grew up  
22 at a reputed Italian Organized Crime gambling spot called 1234  
23 Hertel. You'll hear about how Bongiovanni would boast and  
24 comment about these relationships or pay respect to guys that  
25 growing up who he thought were connected in that way.

02:46PM 1 You'll hear him even -- that he talked to a good  
02:46PM 2 friend of his about an uncle who was involved in organized  
02:46PM 3 crime in Las Vegas. So that was Bongiovanni's value system,  
02:46PM 4 not the oath that he took to serve the United States as a  
02:46PM 5 public servant or the DEA.

02:46PM 6 With that background and that value system and that  
02:46PM 7 financial need, overlay that as the proof will with his  
02:46PM 8 relationship and loyalty to Gerace personally, and you have  
02:46PM 9 the corrupt agreement between them.

02:46PM 10 You'll even learn from an ex-girlfriend of  
02:46PM 11 Bongiovanni's that he expressed to her that he felt torn  
02:47PM 12 between his job, that is his oath and duty to the DEA to  
02:47PM 13 enforce the laws of the United States, and his friends like  
02:47PM 14 this defendant who was a drug-using, drug-dealing strip club  
02:47PM 15 owner that the evidence will show.

02:47PM 16 Bongiovanni chose loyalty this defendant, right here.  
02:47PM 17 And together, they defrauded the United States.

02:47PM 18 You'll learn about what they did in 2005, for  
02:47PM 19 example. See, Bongiovanni was a federal agent, and as  
02:47PM 20 opportunities arose, and they sure did, because the defendant  
02:47PM 21 was continuously committing crimes, Bongiovanni jumped in to  
02:47PM 22 help the defendant. So let's talk about that.

02:47PM 23 We'll go back to 2005. This will be the first  
02:47PM 24 evidence of Bongiovanni leaking law-enforcement sensitive  
02:47PM 25 information directly to this defendant.

02:47PM 1 See, in 2005, the DEA was at the scene of a search  
02:47PM 2 warrant of a guy named Craig Border's house. Craig Border  
02:48PM 3 really isn't important in the grand scene scheme of things.  
02:48PM 4 But he was a marijuana dealer. The DEA was there in a totally  
02:48PM 5 unrelated investigation in '05. But Bongiovanni's there, and  
02:48PM 6 when they're executing a search warrant, the DEA, sworn  
02:48PM 7 agents, are still supposed to follow the rules, they're still  
02:48PM 8 supposed to be respectful. What they see and what they know  
02:48PM 9 inside somebody's house is only supposed to be used for  
02:48PM 10 legitimate purposes in a criminal case, for a prosecution, an  
02:48PM 11 arrest, an investigation. It's law-enforcement sensitive  
02:48PM 12 information. It's not to be shared with members of the  
02:48PM 13 general public. But that's what Bongiovanni did.

02:48PM 14 Because when he was in Craig Border's house, he saw  
02:48PM 15 pictures, pictures of a woman named RuthAnn Arida, who, by  
02:48PM 16 that point, was dating the defendant.

02:48PM 17 Now, RuthAnn went on to become the mother of this  
02:48PM 18 defendant's child, and I think she married him. You'll hear  
02:49PM 19 proof of that. She'll reluctantly testify.

02:49PM 20 But Bongiovanni leaked that information about the  
02:49PM 21 intimate photos of Arida wearing a Playboy Bunny outfit that  
02:49PM 22 were in Border's residence. Border will tell you after that  
02:49PM 23 search he never saw those photos again. And the defendant  
02:49PM 24 used that inside information that a private citizen should not  
02:49PM 25 have had of what was at Craig Border's house, when he got mad

1 at RuthAnn, the defendant used at it and confronted her.

2 That's how she learned Bongiovanni, who she had met before,  
3 was a DEA agent.

4 That's an example of the leaking that occurred.

5 It's an example that you'll see of Bongiovanni  
6 starting to prove his worth, his willingness to violate that  
7 oath and duties to work for the defendant.

8 That was a personal matter. But then it went from  
9 there. And you'll see the pattern that will develop through  
10 the course of the trial will show you what their agreement  
11 was.

12 Because the next thing that happens is around 2007 or  
13 2008, at that point, Gerace has a new love interest. A  
14 different dancer that he's doing cocaine with, Amy P. Amy  
15 Potrzebowski. She was a Pharaoh's dancer who developed an  
16 intimate relationship with the defendant. They shared  
17 cocaine. The defendant would send her to get cocaine.  
18 Eventually, Amy sold cocaine at Pharaoh's. She was an  
19 employee of his.

20 Well, what happened, while he was with Amy, and after  
21 Amy met the defendant -- met Bongiovanni through the defendant  
22 a couple of times, this defendant handed Joseph Bongiovanni's  
23 official DEA business card to Amy P. and said here, have this.  
24 You can use it to get out of trouble. The literal get-out-of-  
25 jail-free card.

1           Those are the instructions this defendant gave to  
2 Amy.

3           That one sentence tells you in this defendant's own  
4 words what the corrupt relationship was between Bongiovanni  
5 and the defendant. But there's more. Because you'll learn  
6 about several instances where Bongiovanni went on to kill both  
7 a DEA and an FBI investigation that were brewing as to this  
8 defendant that could have led to his arrest and prosecution  
9 many years earlier. Let's go back to 2009.

10           So after Amy P. has the get-out-of-jail-free card,  
11 now we're in 2009. And at that point in time, you'll learn  
12 the defendant was on federal supervised release under  
13 supervision by the U.S. Probation Department. U.S. Probation  
14 got word from the Federal Bureau of Investigation that the  
15 defendant was violating certain conditions that he had. At  
16 the time, he had a condition that didn't permit him to be at  
17 Pharaoh's. So U.S. Probation, under their authority, did a  
18 search of Pharaoh's.

19           When U.S. Probation did the search at Pharaoh's, the  
20 FBI agent who had passed along the information and  
21 intelligence, he was there. You'll hear from him. His name  
22 is FBI Special Agent Tom Herbst. He was interested in talking  
23 to the defendant and seeing if the defendant would be  
24 interested in helping him into a larger investigation that  
25 Herbst wanted to pursue, an investigation into Italian

02:52PM 1 Organized Crime.

02:52PM 2 Well, Herbst was there, he met the defendant, and  
02:52PM 3 very quickly developed the understanding in his mind that the  
02:52PM 4 defendant wasn't interested in working for the FBI or law  
02:52PM 5 enforcement. But, the defendant had a concern, not about the  
02:52PM 6 U.S. Probation stuff really, but you'll learn the defendant's  
02:52PM 7 concern was the fact that the FBI was there. So, the  
02:52PM 8 defendant used his corrupt insider in federal law enforcement  
02:52PM 9 against the FBI.

02:52PM 10 He called Special Agent Bongiovanni, and Bongiovanni  
02:52PM 11 got right to work. The get-out-of-jail-free-card guy got  
02:52PM 12 right to work. That's what the evidence is going to show.

02:52PM 13 Bongiovanni did two things. First, he used the aura,  
02:52PM 14 his influence as a DEA agent, to contact probation, gets some  
02:53PM 15 information about what was happening, slow the process with  
02:53PM 16 the U.S. Probation down. Falsely represented to the  
02:53PM 17 U.S. Probation officer that the defendant was willing to  
02:53PM 18 cooperate against significant drug dealers essentially to stay  
02:53PM 19 out on release. You're then gonna hear, you'll learn through  
02:53PM 20 the evidence, that that was a lie that Bongiovanni told  
02:53PM 21 probation.

02:53PM 22 The second thing, and more importantly, Bongiovanni  
02:53PM 23 then pretended to his boss at DEA -- so you have a DEA agent  
02:53PM 24 pretending to their boss at DEA, he says, and he writes a  
02:53PM 25 report, Bongiovanni represents to his own boss falsely in a

02:53PM 1 DEA report that this defendant is Bongiovanni's confidential  
02:53PM 2 source with the DEA. That means he's someone who's signed up  
02:53PM 3 or providing information working with the DEA to catch  
02:53PM 4 criminals. That's what you'll learn a confidential source is.

02:53PM 5 In truth, the defendant was never and never was any  
02:54PM 6 type of DEA confidential source or any type of law enforcement  
02:54PM 7 helper. It was the sham, the ruse, the lie that Bongiovanni  
02:54PM 8 was telling his boss and falsely writing into his report to  
02:54PM 9 get official cover so his boss would say, well, coordinate  
02:54PM 10 with the FBI. Because Bongiovanni falsely wrote that he was  
02:54PM 11 coordinating with the FBI. Well, he got that information  
02:54PM 12 during the call to U.S. Probation.

02:54PM 13 So Bongiovanni got enough information to get that  
02:54PM 14 official cover through that false report where he lies about  
02:54PM 15 this defendant's status. So the boss says, meet with the FBI.  
02:54PM 16 Bongiovanni does that.

02:54PM 17 But what it was, was the defendant and Bongiovanni  
02:54PM 18 pursuant to their corrupt agreement, working a scam, a sham.  
02:54PM 19 So what happens is Bongiovanni sets up a meeting with that FBI  
02:54PM 20 agent who tried to interview Gerace, Special Agent Tom Herbst.  
02:54PM 21 But the manner in which Bongiovanni acted was all designed to  
02:55PM 22 let -- to lead Special Agent Herbst to believe that this  
02:55PM 23 defendant was a DEA confidential source which would  
02:55PM 24 immediately signal to the FBI, let's back off our  
02:55PM 25 investigation. DEA's -- he's DEA's guy, he's their source,

02:55PM 1 they're dealing with him.

02:55PM 2 So that's the signalling that you'll learn was  
02:55PM 3 happening when -- when Herbst and Bongiovanni were talking on  
02:55PM 4 the phone to set up that arrangement, that meeting.

02:55PM 5 In the meeting, in the phone call, Bongiovanni tells  
02:55PM 6 Herbst don't bring your partner to the meeting. An odd  
02:55PM 7 request. But what did it do? It limited the amount of  
02:55PM 8 witnesses to the meeting between Bongiovanni and Herbst, and  
02:55PM 9 it sent further signals that, gees, this guy -- this defendant  
02:55PM 10 must be Bongiovanni's source because law enforcement, you'll  
02:55PM 11 learn, is even protective and secretive of their sources from  
02:55PM 12 other agencies. Those types of identities are closely  
02:56PM 13 guarded.

02:56PM 14 So the manner in which Bongiovanni was acting without  
02:56PM 15 saying a word is signalling to another trained federal agent  
02:56PM 16 he's their source. He's already putting Special Agent Herbst  
02:56PM 17 in the mindset of not pursuing his investigation into Gerace.  
02:56PM 18 Because you'll learn that Herbst had information from dancers  
02:56PM 19 about drug dealing at Pharaoh's. In fact, you may learn one  
02:56PM 20 of the witnesses he had spoken to at the time was Gabby back  
02:56PM 21 in '09.

02:56PM 22 So, Herbst gets invited to a meeting at the DEA's new  
02:56PM 23 office at the Electric Tower building here in downtown  
02:56PM 24 Buffalo. But then Bongiovanni gives Herbst, the FBI agent, at  
02:56PM 25 tour, and they end up on the mezzanine level. Not in a

1 private part of the office, the public mezzanine, to have a  
2 discussion about official business? And then it gets even  
3 weirder from there.

4 Because as you'll hear Herbst explain it, Bongiovanni  
5 starts asking Herbst about his case, and he starts getting  
6 some details.

7 Well, then Special Agent Bongiovanni, the part of his  
8 agreement involved -- that he with this defendant involved  
9 dissuading other members of law enforcement from pursuing  
10 investigations. So what does Bongiovanni say pursuant to the  
11 agreement that he had with this defendant?

12 Well, he hears about the case, and he offers an  
13 opinion. He says no prosecutor is gonna prosecute that case.

14 Well, Special Agent Herbst had already talked to a  
15 prosecutor at the U.S. Attorney's Office, and he said I  
16 actually already talked to so-and-so, and he said they will.

17 Well, Bongiovanni didn't like that, so he pressed on.  
18 And then the meeting took an even stranger turn, because the  
19 defendant -- this defendant showed up to the meeting at the  
20 mezzanine level with Herbst and Bongiovanni.

21 Then Bongiovanni starts saying things about the  
22 defendant to Special Agent Herbst, like, I've known this kid  
23 from a long time -- for a long time.

24 There was no substance to the meeting. There was no  
25 offer of help with investigations of drug traffickers. It was

1 all a scam and a ruse, and it effectively made Special Agent  
2 Herbst believe this defendant was Bongiovanni's informant. He  
3 left that meeting after talking with Bongiovanni and the  
4 defendant, and he shut down his case. He didn't pursue an  
5 investigation into Gerace anymore. He figured Gerace was the  
6 DEA's informant, so he moved on to other things.

7 Working together, pursuant to their agreement,  
8 Bongiovanni violated his oath and duties, protected the  
9 defendant, they did it together, they duped and scammed the  
10 FBI agent. They tricked him. They tricked him into believing  
11 Gerace would be investigated by DEA, or that he was their  
12 source.

13 It went on from there.

14 In June of 2016, Bongiovanni seizes upon another  
15 opportunity to help his friend. You'll learn around that time  
16 a DEA agent named Tony Casullo, who was from Buffalo  
17 originally but he was a new DEA agent in the Buffalo office,  
18 he was experienced, he wanted to do an investigation into  
19 Gerace.

20 Casullo and Gerace had actually gone to high school  
21 together at Saint Joe's here in Buffalo. That didn't matter  
22 to Casullo. He had developed information that the defendant  
23 would have been a good federal target, so Casullo wanted to do  
24 something about it.

25 As a common initial first step in a DEA case, the

02:59PM 1 first thing Casullo wanted to do was to subpoena phone records  
02:59PM 2 for the defendant. But at that point, Casullo knew that there  
02:59PM 3 was at least some relationship between Bongiovanni and this  
02:59PM 4 defendant, but he had no idea the extent or true nature of  
02:59PM 5 their relationship at the time.

02:59PM 6 So to cover his bases, Casullo told his DEA  
03:00PM 7 supervisor, hey, I'm gonna subpoena these phone records for  
03:00PM 8 this target, Peter Gerace, but I think Bongiovanni's phone  
03:00PM 9 number might be in the records just so you know.

03:00PM 10 The boss told him, do your investigation, subpoena  
03:00PM 11 the records, we'll deal with it if that happens.

03:00PM 12 So Casullo moved forward. He subpoenaed this  
03:00PM 13 defendant's phone records. And as expected, the phone records  
03:00PM 14 showed that Bongiovanni's DEA phone number was in contact with  
03:00PM 15 this defendant.

03:00PM 16 Sure enough, Bongiovanni found out that Casullo  
03:00PM 17 subpoenaed Gerace's phone records and that Bongiovanni's  
03:00PM 18 number was in them. Bongiovanni was angry, he was not happy.  
03:00PM 19 Like in any often situation, there was tension now between  
03:00PM 20 Special Agent Bongiovanni and Special Agent Casullo about the  
03:00PM 21 defendant.

03:00PM 22 One day, to break the tension, Casullo asked  
03:00PM 23 Bongiovanni if they could talk privately. Bongiovanni agreed,  
03:01PM 24 so they stepped into a conference room together.

03:01PM 25 At that point, Bongiovanni seized upon the

03:01PM 1 opportunity to further execute on his agreement with this  
03:01PM 2 defendant to try to dissuade Casullo from pursuing his  
03:01PM 3 investigation, his DEA investigation into Gerace, just like it  
03:01PM 4 had worked in 2009 when they successfully stifled and  
03:01PM 5 dissuaded FBI Special Agent Herbst from pursuing the  
03:01PM 6 defendant.

03:01PM 7 So with the two of them, Bongiovanni and Casullo  
03:01PM 8 alone in a DEA conference room, Casullo says something to  
03:01PM 9 Bongiovanni like, you seem upset. What's going on? I'd like  
03:01PM 10 to get past this.

03:01PM 11 Bongiovanni, physically larger than Casullo,  
03:01PM 12 immediately blustered, intent upon shutting Casullo down, and  
03:01PM 13 what he said successfully shut the investigation down.  
03:02PM 14 Bongiovanni blustered to Casullo, who is an Italian himself,  
03:02PM 15 do you hate Italians?

03:02PM 16 Casullo said, no, I don't hate Italians. My family's  
03:02PM 17 Italian.

03:02PM 18 Bongiovanni next angrily says, because we should be  
03:02PM 19 investigating the "N" word, and the "S" word.

03:02PM 20 Using the racially derogatory terms for black and  
03:02PM 21 Hispanic people. It stunned Casullo. It set him back on his  
03:02PM 22 heels. It shook him to his core. Those horrific words  
03:02PM 23 stopped him in his tracks and it stopped the investigation.

03:02PM 24 But Bongiovanni didn't stop there. His next words in  
03:02PM 25 his anger, in his excited state, he said because that kid --

1 referring to this defendant, just like he had referred to him  
2 as a kid to Herbst in 2009 -- called me one time when a dancer  
3 overdosed at Pharaoh's, and I told him to get her out of  
4 there.

5 Matching the advice the defendant provided to Doug  
6 Augustyniak.

7 Casullo was stopped in his tracks. Bongiovanni  
8 successfully dissuaded him from pursuing that.

9 Casullo will testify here. He'll acknowledge for you  
10 he was shocked and stunned. And he didn't immediately do the  
11 right thing, he'll tell you that. He didn't immediately  
12 report it to his supervisor. He lived with what he heard  
13 unsure how to handle it. He'll explain to you he was  
14 reluctant to report it to his DEA supervisors because he just  
15 got to that office, Bongiovanni was a longtime respected agent  
16 there, Casullo was worried that he would be ostracized in that  
17 office. And he'll explain to you, a couple years later when  
18 he did report it, that's exactly what happened.

19 But for Bongiovanni and this defendant, in June of  
20 2016 and for months and years that followed, that blowup had  
21 its intended effect. For the second time, Bongiovanni shut  
22 down a federal investigation into this defendant and his  
23 activities at Pharaoh's, because that was some of the  
24 information Casullo had. The defendant's activities at  
25 Pharaoh's.

03:04PM 1 Bongiovanni shut it down. The investigation into his  
03:04PM 2 friend, this defendant. A friend that you'll know that they  
03:04PM 3 traveled to Las Vegas together, that they've done cocaine with  
03:04PM 4 each other together, that they've got on double dates  
03:04PM 5 together, that they were routinely in phone contact and text  
03:04PM 6 messages together.

03:04PM 7 Well about a year later, about a year after that,  
03:04PM 8 Bongiovanni, knowing full well and with Casullo living with  
03:04PM 9 what he had heard, Bongiovanni knowing full well that in 2009  
03:04PM 10 an FBI agent had wanted to investigate Gerace for drugs, and  
03:05PM 11 that in 2016, a DEA agent wanted to investigate Gerace for  
03:05PM 12 drugs, this defendant called Special Agent Bongiovanni and  
03:05PM 13 left him a message on his phone. He left a voicemail message  
03:05PM 14 that you'll hear, because agents seized and searched Gerace's  
03:05PM 15 phone, and they recovered this voicemail message.

03:05PM 16 In the message, Gerace called Bongiovanni and asked  
03:05PM 17 whether law enforcement can, quote, ping a TracFone.

03:05PM 18 Now you'll learn a ping is a sensitive  
03:05PM 19 law-enforcement technique wherein law enforcement can get a  
03:05PM 20 search warrant to obtain information about a cell phone  
03:05PM 21 location information, where the phone is. They use it to help  
03:05PM 22 find where people are to do their investigations.

03:05PM 23 A TracFone is a prepaid phone often favored by drug  
03:05PM 24 dealers, they call them -- the slang term is a "burner phone."

03:05PM 25 Well, on May 4th, 2017, the defendant leaves a

1 voicemail on his corrupt agent friend's DEA phone that was  
2 retrieved when Gerace's phone was searched. And the defendant  
3 asked Bongiovanni if law enforcement could ping a TracFone.

4 And Bongiovanni responds by text about this sensitive  
5 law-enforcement technique that Bongiovanni should not have  
6 been discussing with a member of the public, and particularly  
7 not someone who had been the target of two federal  
8 investigations. And Bongiovanni responds in a text, and  
9 you'll see what he said, but essentially he said, yes, law  
10 enforcement can ping a TracFone with a search warrant.

11 But there's more. By July of 2018, Bongiovanni's own  
12 corruption, his relationship with Gerace started to come into  
13 focus and under scrutiny by other members of law enforcement,  
14 including Homeland Security, shortly after that the FBI, and  
15 the Department of the Office of Inspector General. They were  
16 interested in investigating Gerace at first, HSI was.

17 And Special Agent Casullo was in a meeting called a  
18 proffer interview where he heard a witness talk about  
19 Bongiovanni in the context of his relationship with Gerace.  
20 This is the same Agent Casullo who had been shut down in June  
21 of 2016, the same agent who this -- who Bongiovanni said  
22 should be investigating the "N" word and the "S" word, the DEA  
23 should, and not Gerace.

24 Well, at that point, not too long after that meeting,  
25 where now Casullo is hearing Gerace again and Bongiovanni's

03:07PM 1 name connected to it, Casullo reported it. And Bongiovanni  
03:07PM 2 became aware that Casullo reported it.

03:07PM 3 But there was much more to the investigation of  
03:07PM 4 Bongiovanni that Bongiovanni wasn't aware of, so Bongiovanni  
03:08PM 5 still had hope. He still had hope that he continued to work  
03:08PM 6 hard to conceal his truly corrupt relationship with Gerace,  
03:08PM 7 because concealing that corrupt relationship and the extent of  
03:08PM 8 the protection and help that Bongiovanni had provided to this  
03:08PM 9 defendant over the years was a key part of their corrupt  
03:08PM 10 agreement. Key part of that charge in Count 1, and a key part  
03:08PM 11 of why there were bribes as charged in Count 2.

03:08PM 12 So Bongiovanni kept trying hard to keep their corrupt  
03:08PM 13 relationship, meaning his and the defendant's, a secret.

03:08PM 14 In November of 2018, Bongiovanni wrote a false memo  
03:08PM 15 to his DEA supervisors about his relationship and the extent  
03:08PM 16 of his communications with Gerace. What he wrote in that  
03:08PM 17 official DEA report was false, and it was in furtherance of  
03:08PM 18 their criminal scheme, because if Bongiovanni could convince  
03:08PM 19 them that they weren't close, he could convince his  
03:08PM 20 supervisors they weren't close, maybe people would stop  
03:09PM 21 digging and the corrupt relationship would remain concealed.

03:09PM 22 This was part of their corrupt agreement.

03:09PM 23 In December of 2018, Bongiovanni wrote another memo  
03:09PM 24 with the same type of misrepresentations about the nature and  
03:09PM 25 extent of his relationship with Defendant Gerace to conceal

the conspiracy for the same reasons.

In January of 2019, Bongiovanni wrote another false memo. This time, the false memo that he wrote to his bosses was a little different. In that memo, he actually tried to say that it was actually Anthony Casullo who was friends with the defendant. You won't pictures of Anthony Casullo with this defendant in Las Vegas, you'll see Special Agent Bongiovanni in pictures with this defendant in Las Vegas at Cirque de Soleil in 2011.

So those false statements, though, were part of the agreement, part of trying to conceal their decades of corruption.

February 1st, Bongiovanni's -- now he's -- his hasty retirement from the DEA is upon, he turns in his phone. It's wiped. Nothing's on it. It's wiped.

He also leaves, he takes a box out of the DEA with him, conceals it, takes it out. And in that box, there was information about individuals, drug dealers, suspected drug dealers, that were connected to both Bongiovanni and this defendant. And it had information about Anthony Gerace, in the box. Stole it from the DEA. DEA didn't know it at the time.

So now by March of 2019, March 29th, actually, Bongiovanni is now in retirement is asked, hey, will you come for an interview? DOJ Office of Inspector General wants to

1 interview Bongiovanni. Bongiovanni agrees.

2 And in that interview, he again lies and minimizes  
3 about his relationship with Gerace, trying to lie to them  
4 because if they believe the lie, the investigations will stop,  
5 and he'll shut it down just like he did in '09 and 2016, and  
6 Bongiovanni and this defendant -- we wouldn't be here today.  
7 So Bongiovanni lies in that interview.

8 June 6th, 2019, Bongiovanni's house is searched by  
9 the FBI, Homeland Security, DOJ OIG. They find that box that  
10 Bongiovanni removed from the DEA without permission or  
11 authorization. Bongiovanni gives another interview to an HSI  
12 agent named Curtis Ryan who you'll hear from. He makes more  
13 lies and false statements, further minimizing his relationship  
14 with Gerace, further trying convince them there's -- to stop  
15 digging, essentially. All lies.

16 Just like everything Bongiovanni did with respect to  
17 this defendant the prior ten years, all to further their  
18 criminal scheme to keep it concealed.

19 At the end of the day, Bongiovanni protected the  
20 defendant. He did it for envelopes of cash, out of  
21 friendship, loyalty, and for his affinity for this defendant's  
22 Italian Organized Crime reputed family lineage.

23 He also did it because that's the stronghold this  
24 defendant has on people. It extended to a corrupt federal  
25 agent.

1 So then fast forwarding a little bit, Bongiovanni,  
2 you'll learn, was charged in late October of 2019. And by  
3 early November 2019, Bongiovanni's charges were public.  
4 Defendant wasn't charged at that time.

5 Bongiovanni's charges were reported in the news.  
6 This defendant became aware of them.

7 And on December 12th, 2019, about a month after  
8 Bongiovanni's own charges became public, Homeland Security and  
9 other law enforcement agents executed search warrants at  
10 Pharaoh's, and at the defendant's residence. The defendant  
11 was not there, he was out of town.

12 Around that time, around the time, though, that  
13 Bongiovanni's charges became public, the defendant started  
14 trying to take his -- matters into his own hands. With  
15 Bongiovanni no longer in a firm position to protect him and  
16 with it now clear that law enforcement's focus was upon him,  
17 Bongiovanni had just been charged and arrested, the defendant  
18 tried to intimidate and tamper with witnesses.

19 He focused in on two people who you'll learn this  
20 defendant thought were a problem for him, two people that will  
21 testify. One he focused in on his ex-wife, Katrina, someone  
22 who knew the defendant sent prominent men, including Judge  
23 Michalski and others, up with drug-addicted women, women who  
24 were vulnerable and coerced to engage in those commercial sex  
25 acts in that upstairs. Someone who knew the defendant

1 maintained Pharaoh's as a drug involved haven. Someone who  
2 knew the defendant provided envelopes of cash to Bongiovanni.  
3 You'll even hear under Gerace's instructions Katrina herself  
4 provided envelopes of cash to Bongiovanni.

5 And he focused in on Phlycia Hunt, someone who knew  
6 that this defendant did cocaine with Bongiovanni. Someone who  
7 knew that the defendant set up a prominent person, Russell  
8 Salvatore, for a weekend with a Pharaoh's dancer. Someone who  
9 knew the defendant's pervasive drug distribution and  
10 activities at Pharaoh's.

11 He focused in on those two.

12 Phlycia Hunt first came on to federal law enforcement  
13 radar after she was arrested in April of 2019 by members of  
14 the Amherst Police Department, one of whom has a relationship  
15 with the defendant.

16 You'll learn that she was initially interviewed by  
17 federal law enforcement after that Amherst arrest, and not too  
18 long after that, months later, when the defendant realized he  
19 was under scrutiny, he deduced that she was a likely  
20 cooperator.

21 So one night, November 19th, 2009, this is now the  
22 grouping of Count 6 through 9 in the indictment, after doing  
23 cocaine in his mansion in his basement in Clarence, he was  
24 with two women, Crystal and Charlene, and they sent  
25 threatening messages to Ms. Hunt calling her a snitch over

1 Facebook. So here's what happened.

2 First, the defendant gave them cocaine in his  
3 basement, that is, he distributed to them. You don't need a  
4 payment of money. He distributed them cocaine.

5 Then he started complaining about Hunt being a  
6 snitch, knowing just how Crystal and Charlene, women who  
7 worked at Pharaoh's, women who at the time were loyal to him,  
8 would react. They got fired up. He stoked the flames, and  
9 focused the conversation on Hunt. And with his words and  
10 intentions ringing in their ears as he sat right next to them,  
11 they threatened Hunt over Facebook.

12 The defendant wasn't charged yet. And they were  
13 trying to stifle Hunt's cooperation with law enforcement.

14 You'll hear Charlene, and you'll see the messages for  
15 yourself. Crystal sent those Facebook messages using  
16 Charlene's account to Phlycia Hunt, identifies herself in the  
17 messages, calls Hunt a rat, a very negative connotation. It's  
18 not a good thing to be outed as a rat when you're talking  
19 about drug dealers and sex traffickers. And the other -- and  
20 what she said left Hunt in fear for her safety, in fear of the  
21 defendant.

22 This happened after Hunt talked to law enforcement,  
23 and after the first time she testified before the grand jury.  
24 She testified twice.

25 After that, the defendant sued Hunt and his ex-wife

Ms. Nigro in state court, women with little to no means, especially compared to him as part of his effort to silence them, because he was afraid of what they knew. He had a guilty state of mind. He never stopped trying to exploit, manipulate, and coerce those around him. He did it for years, and got away with it.

Members of the jury, the evidence is going to show you that this defendant used money, power, and control, the ingredients of coercion, to exploit those dancers and everything and everyone around him at Pharaoh's for his gain. He coerced young vulnerable women with drugs in exchange for sex with him, his friends, and his customers. He used a corrupt law enforcement agent to shield him from detection, and to allow his crimes to continue for a decade.

And when his back was against the wall, he tampered with a witness using his friends and proxies.

Every one of the things the defendant did goes back to the same thing, though: Money, power, control, coercion.

We're gonna to prove these case by calling a lot of witnesses: Dancers, victims, employees, patrons of Pharaoh's, members of law enforcement.

You'll see photographs of Bongiovanni and Gerace together in various settings. You'll see their text messages. You'll hear about their phone records, you'll see the phone records. You'll see the false reports Bongiovanni wrote and

03:18PM 1 the false things he said in those reports. You'll hear about  
03:18PM 2 his false statements to law enforcement trying to conceal the  
03:18PM 3 corrupt relationship for the benefit of this defendant and  
03:18PM 4 himself as part of their conspiracy. And all of that evidence  
03:18PM 5 will come together and corroborate and support each other such  
03:19PM 6 that no single witness or no piece of evidence will stand  
03:19PM 7 alone, but rather, all layered and corroborative of each other  
03:19PM 8 proving beyond a reasonable doubt, well beyond a reasonable  
03:19PM 9 doubt, the elements of every crime the defendant's charged  
03:19PM 10 with.

03:19PM 11           These women dancers, these victims, they're gonna  
03:19PM 12 walk in here, they're gonna sit in that chair, and tell you  
03:19PM 13 their deepest darkest secrets. None of them aspired to be  
03:19PM 14 sexual play things for the defendant and his friends. None of  
03:19PM 15 them believed they would cross the line to commercial sex, but  
03:19PM 16 they'll tell you how it happened for them. They'll tell you  
03:19PM 17 how the defendant and others working with him preyed on their  
03:19PM 18 vulnerabilities, and used drugs and the drug addictions they  
03:19PM 19 had to do it.

03:19PM 20           But remember this, and what the proof is going to  
03:19PM 21 show, the defendant chose them. The defendant chose them.  
03:19PM 22 They were his business model, and he got rich off of their  
03:19PM 23 bodies.

03:19PM 24           He picked the most vulnerable that he could control  
03:20PM 25 because he believed those vulnerabilities were an insurance

03:20PM 1 policy.

03:20PM 2 So let me say a final word about the women who you're  
03:20PM 3 going to hear from that were victimized.

03:20PM 4 As I told you right now, by this point, each of them  
03:20PM 5 were vulnerable in their own ways. All of them became  
03:20PM 6 addicted to drugs, or their addictions worsened exponentially,  
03:20PM 7 through the drugs the defendant fed them. The defendant and  
03:20PM 8 others at Pharaoh's.

03:20PM 9 Their vulnerability, their addictions, their frailty,  
03:20PM 10 it was part of his business model. Part of the reason he  
03:20PM 11 controlled them through their addictions so that if this day  
03:20PM 12 ever came where the defendant's conduct came to light, he  
03:20PM 13 would use their vulnerability, their history of addiction,  
03:20PM 14 their frailty, against them as his insurance policy to  
03:21PM 15 discredit them so that nobody will believe them.

03:21PM 16 The evidence will show that the defendant  
03:21PM 17 underestimated them. And one by one, they'll come into this  
03:21PM 18 courtroom, sit in this chair, and tell you exactly how the  
03:21PM 19 defendant and others exploited their addictions, their  
03:21PM 20 vulnerability, their frailty, and how he knew exactly how to  
03:21PM 21 get them to behave and to coerce them to behave in ways they  
03:21PM 22 are not proud of.

03:21PM 23 And that evidence, through their testimony of their  
03:21PM 24 vulnerability, addiction, and frailties, the same things he  
03:21PM 25 thought would protect him if this day ever came, will bind him

1 to justice and will prove his guilt beyond a reasonable doubt.

2 Taken all together, all of the evidence will prove to  
3 you that for years, he conspired with others to coerce young  
4 vulnerable women to engage in sexual activities, sex acts at  
5 Pharaoh's, and he used drugs as the tool of the trade to do it  
6 from his drug-involved fiefdom headquartered at Pharaoh's, the  
7 headquarters of his drug and sex schemes.

8 The evidence will prove that he leveraged his corrupt  
9 relationships with a corrupt federal agent to protect him for  
10 years out of friendship, loyalty, in exchange for cash. And  
11 it will show you beyond a reasonable doubt that when it all  
12 started to erode, he tried to tamper with a witness and take  
13 matters into his own hands with the help of his associates to  
14 tamper with a witness.

15 Gabby can't rewind time. But she can, along with  
16 other dancers, and she, along with other dancers, will tell  
17 you what the defendant and others did to them, and what he  
18 agreed to help others do to them.

19 By the end of this trial, when you've seen and heard  
20 it all, that evidence will establish beyond a reasonable doubt  
21 this defendant groomed these young women and coerced them to  
22 engage in commercial sex acts, serving up drugs through his  
23 strip club to make sure it happened, protected by a corrupt  
24 federal agent.

25 And at that time, I'm going to come back here and ask

03:23PM 1 you to return the only verdict consistent with the evidence,  
03:23PM 2 consistent with the facts, a verdict of guilty on each and  
03:23PM 3 every count.

03:23PM 4 Thank you.

5 (Excerpt concluded at 3:23 p.m.)

6 \* \* \* \* \*

7  
8  
9  
10  
11  
12 **CERTIFICATE OF REPORTER**

13  
14 In accordance with 28, U.S.C., 753(b), I  
15 certify that these original notes are a true and correct  
16 record of proceedings in the United States District Court for  
17 the Western District of New York on November 6, 2024.

18  
19  
20 s/ Ann M. Sawyer

21 Ann M. Sawyer, FCRR, RPR, CRR  
22 Official Court Reporter  
23 U.S.D.C., W.D.N.Y.  
24  
25